

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Polanco Analyst: Roger Lackey Bill Number: SB 843

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 08-07-2000

Attorney: Patrick Kusiak Sponsor:

SUBJECT: Information Technology Management/Duties of Heads of State Agencies And
Director of Information Technology

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as
introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as
introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED July 3, 2000, STILL APPLIES.

OTHER - See comments below.

SUMMARY OF BILL

This bill would establish specific policies and practices to enable state agencies to improve upon the use of information technology (IT). This bill also would extend the authority of the Director of Information Technology.

SUMMARY OF AMENDMENT

The August 7, 2000, amendment made a technical change and would provide that in developing the financing mechanism and plan for the acquisition of IT, a private sector advisory group may be convened.

The changes made by the August 7, 2000, amendment would not impact the department. The department's analysis of the bill as amended July 3, 2000, still applies. The department's policy and implementation concerns are repeated below.

POLICY CONSIDERATIONS

This bill would expand upon the existing authority of the director of the Department of Information Technology (DOIT). Currently the director has the authority to initiate, suspend, or terminate an IT project.

Specifically, this bill would expand that authority to permit the director to take action independent of the head of a state agency or the governing board of a state agency for IT resource management and for investments made relating to IT. This expanded authority would result because the director would have the authority to take any authorized action he or she considers appropriate to enforce accountability by the head of a state agency, including an action involving the budgetary process or the appropriations management process.

Board Position:

<input checked="" type="checkbox"/> S	<input type="checkbox"/> NA	<input type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input type="checkbox"/> PENDING

Legislative Director

Date

Johnnie Lou Rosas

08/15/00

Currently, state agencies seeking budget augmentation or appropriations must have approval of the state agency, the Department of Finance, the Legislature, and the Governor to obtain the requested funds. Moreover, for the Franchise Tax Board, these decisions also must be made by the three-member Board. It is unclear from this bill how the authority of the director would be exercised in connection with the current budget appropriation and augmentation processes, in addition to the authority of the three-member Franchise Tax Board concerning budgetary matters.

IMPLEMENTATION CONSIDERATIONS

To the extent that this bill expands the authority of the director of DOIT to take any authorized action that he or she feels appropriate to enforce accountability by a state agency head, the impact to the department is unclear.

BOARD POSITION

Support.

At its meeting on March 27, 2000, the Franchise Tax Board voted 2-0 to take a support position on this bill, with Member B. Timothy Gage abstaining.